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Attorneys for Defendants  
William E. and Desiree B. Moore Revocable Trust, Desiree  
B. Moore Revocable Trust, William E. Moore Marital Trust,  
William E. Moore Generation-Skipping Trust, and Desiree  
Moore

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

THOMAS FERNANDEZ and LORA SMITH,	) Case No. C 06-07339 MJJ
individually and on behalf of a class of all	)
other persons similar situated,	) STIPULATION AND [PROPOSED]
	) ORDER EXTENDING DEADLINE
Plaintiffs,	) TO ANSWER FIRST AMENDED
	) COMPLAINT
vs.	)
K-M INDUSTRIES HOLDING CO. INC.;	)
K-M INDUSTRIES HOLDING CO., INC.;	)
ESOP PLAN COMMITTEE; WILLIAM E.	)
AND DESIREE B. MOORE REVOCABLE	)
TRUST; TRUSTEES OF THE WILLIAM E.	)
AND DESIREE B. MOORE REVOCABLE	)
TRUST; CIG ESOP PLAN COMMITTEE;	)
NORTH STAR TRUST COMPANY;	)
DESIREE B. MOORE REVOCABLE	)
TRUST; WILLIAM E. MOORE MARITAL	)
TRUST; WILLIAM E. MOORE	)
GENERATION-SKIPPING TRUST; and	)
DESIREE MOORE, BOTH IN HER	)
INDIVIDUAL CAPACITY AND AS	)
TRUSTEE OF THE WILLIAM E. AND	)
DESIREE B. MOORE REVOCABLE	)
TRUST'S SUCCESSOR TRUSTS NAMED	)
ABOVE,	)
	)
Defendants.	)

1 WHEREAS, Defendants stipulated to Plaintiffs' amendment of their complaint,  
 2 and Plaintiffs electronically filed their First Amended Complaint on June 5, 2007,  
 3 which amended complaint added new defendants and made certain other changes to  
 4 the allegations in the complaint.

5 WHEREAS, Defendants Moore Revocable Trust, Desiree B. Moore Revocable  
 6 Trust, William E. Moore Marital Trust, William E. Moore Generation-Skipping Trust,  
 7 and Desiree Moore (collectively, the "Moore Trust Defendants") contacted Plaintiffs  
 8 on June 25, 2007 to request additional time to answer the First Amended Complaint.

9 WHEREAS, Plaintiffs consented on June 25, 2007 to the filing of an answer to  
 10 the First Amended Complaint by the Moore Trust Defendants within the three weeks  
 11 following the parties' June 25, 2007 telephone conference.

12 WHEREAS, the Moore Trust Defendants intend to answer the First Amended  
 13 Complaint by filing an Answer to the First Amended Complaint, rather than  
 14 responding by motion.

15 Accordingly, IT IS HEREBY AGREED AND STIPULATED by the parties  
 16 through their counsel of record, that the Moore Trust Defendants have until and  
 17 including Monday, July 16, 2007, to file their answer to Plaintiffs' First Amended  
 18 Complaint.

19 DATED: June 28, 2007

HENNIGAN, BENNETT & DORMAN LLP

22 By: Paul B. Derby  
 23 Paul B. Derby

24 Attorneys for Defendants William E. and  
 25 Desiree B. Moore Revocable Trust, Desiree  
 26 B. Moore Revocable Trust, William E.  
 27 Moore Marital Trust, William E. Moore  
 28 Generation-Skipping Trust, and Desiree  
 Moore

1 DATED: June 27, 2007

2 LEWIS, FEINBERG, RENAHER &  
3 JACKSON, P.C.

4 By: Todd Jackson  
5 Todd Jackson

6 Attorneys for Plaintiffs Thomas Fernandez  
7 and Lora Smith.

8  
9 Good cause appearing, it is APPROVED and IT IS SO ORDERED:

10  
11  
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13 \_\_\_\_\_  
14 Honorable Martin J. Jenkins  
15 United States District Court Judge  
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